


1287 REG. GPTPTO 01 MAR 2006

Substitute for Form PTO-1390		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 1034477-000017
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/570136</b>
INTERNATIONAL APPLICATION NO. PCT/EP2004/009376	INTERNATIONAL FILING DATE August 21, 2004	PRIORITY DATE CLAIMED September 4, 2003	
TITLE OF INVENTION  PESTICIDES			
APPLICANT(S) FOR DO/EO/US David Teh-Wei CHOU, Werner KNAUF, Uwe DÖLLER and Karl SEEGER			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission to items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>			
Items 11 to 21 below concern document(s) or information included:			
<ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</li> <li>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: <u>Application Data Sheet; copies of International Search Report in English, International Preliminary Report on Patentability in English and PCT Form 101</u></li> </ol>			

U.S. APPLICATION NO. (If Applicable, See 37 CFR 1.53) <b>10/570136</b> INTERNATIONAL APPLICATION NO. <b>PCT/EP2004/009376</b>		ATTORNEY'S DOCKET NUMBER <b>1034477-000017</b>																																																																																																
21. <input checked="" type="checkbox"/> Applicant(s) requests that the published application include the following assignment information: <u>Bayer CropScience S.A.</u> <u>55, avenue René Cassin</u> <u>F-69009 Lyon</u> <u>FRANCE</u>		<b>CALCULATIONS PTO USE ONLY</b>																																																																																																
22. <input checked="" type="checkbox"/> The following fees are submitted: Basic Filing Fee (1631) <span style="float: right;">\$ 300.00</span> Surcharge of <b>\$130.00 (1617)</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). <span style="float: right;">\$ 130.00</span> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:25%;">CLAIMS</th> <th style="width:15%;">NUMBER FILED</th> <th style="width:15%;">NUMBER EXTRA</th> <th style="width:15%;">RATE</th> <th style="width:15%;">\$</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>15</td> <td>-20 =</td> <td>0</td> <td>x \$50.00 (1615)</td> <td>\$ 0.00</td> </tr> <tr> <td>Independent Claims</td> <td>1</td> <td>-3 =</td> <td>0</td> <td>x \$200.00 (1614)</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$360.00 (1616)</td> <td></td> </tr> <tr> <td colspan="4">Examination Fee</td> <td>+ \$200.00 (1633)</td> <td>\$ 200.00</td> </tr> <tr> <td colspan="4">Search Fee</td> <td>+ \$400.00 (1632)</td> <td>\$ 400.00</td> </tr> <tr> <td colspan="4">App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)</td> <td></td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td></td> <td>\$ 1,030.00</td> </tr> <tr> <td colspan="4"> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.         </td> <td style="text-align: right;">+</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>SUBTOTAL =</b></td> <td></td> <td>\$ 1,030.00</td> </tr> <tr> <td colspan="4">           Processing fee of <b>\$130.00 (1618)</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).         </td> <td></td> <td>\$ 0.00</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL NATIONAL FEE =</b></td> <td></td> <td>\$ 1,030.00</td> </tr> <tr> <td colspan="4">           Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 (8021)</b> per property +         </td> <td></td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL FEES ENCLOSED =</b></td> <td></td> <td>\$ 1,030.00</td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right;"><b>Amount to be refunded :</b></td> <td></td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right;"><b>charged :</b></td> <td></td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	Total Claims	15	-20 =	0	x \$50.00 (1615)	\$ 0.00	Independent Claims	1	-3 =	0	x \$200.00 (1614)	\$ 0.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00 (1616)		Examination Fee				+ \$200.00 (1633)	\$ 200.00	Search Fee				+ \$400.00 (1632)	\$ 400.00	App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)						<b>TOTAL OF ABOVE CALCULATIONS =</b>					\$ 1,030.00	<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+	\$ 0.00	<b>SUBTOTAL =</b>					\$ 1,030.00	Processing fee of <b>\$130.00 (1618)</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					\$ 0.00	<b>TOTAL NATIONAL FEE =</b>					\$ 1,030.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 (8021)</b> per property +						<b>TOTAL FEES ENCLOSED =</b>					\$ 1,030.00					<b>Amount to be refunded :</b>						<b>charged :</b>		a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. <u>02-4800</u> in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4800</u> . A duplicate copy of this sheet is enclosed. d. <input checked="" type="checkbox"/> Charge <u>\$ 1,030.00</u> to credit card. Form PTO-2038 is attached.	
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NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.																																																																																																		
SEND ALL CORRESPONDENCE TO: Buchanan Ingersoll PC Including attorneys from Burns, Doane, Swecker & Mathis P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620																																																																																																		
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